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DATE: September 15, 2008

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TO: Examiner Paul B. Prebilic, Group Art Unit 3774
COMPANY: U.S. Patent and Trademark Office

FAX NUMBER: 571-273-8300
PHONE NUMBER:

FROM: Douglas A. Collier

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RE: Response to Final Office Action for U.S. Patent Application No. 10/624,981 to Thomas Zdeblick et al.

COMMENTS: I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office at 571-273-8300 on:

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PTO/SB/21 (09-04)

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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/624,981
	Filing Date	July 22, 2003
	First Named Inventor	Thomas Zdeblick et al.
	Art Unit	3774
	Examiner Name	Paul B. Prebilic
Total Number of Pages in This Submission	Attorney Docket Number	MSDI-168/PC566.02

ENCLOSURES (Check all that apply)		
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Krieg DeVault LLP		
Signature	<i>Douglas A. Collier</i>		
Printed name	Douglas A. Collier		
Date	September 15, 2008	Reg. No.	43,556

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I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature	<i>Douglas A. Collier</i>		
Typed or printed name	Douglas A. Collier	Date	September 15, 2008

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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SEP 15 2008

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent)	Before the Examiner:
application of:)	Paul B. Prebilic
Thomas Zdeblick et al.)	
)	Group Art Unit:
Serial No. 10/624,981)	3774
)	
Filed: July 22, 2003)	September 15, 2008
)	
SPINAL IMPLANTS AND TOOL FOR)	Atty Docket No.:
INSERTION AND REVISION)	MSDI-168/PC566.02

RESPONSE TO FINAL OFFICE ACTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed July 15, 2008, please consider the following. No fees or extensions of time are believed due for consideration of the enclosed. However, please provide any extensions of time which may be necessary and charge any fees due, or credit any overpayment, to Deposit Account 12-2424, but not including the payment of issue fees.

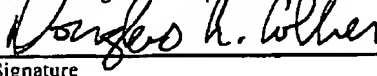
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Response to Final Office Action
Ser. No. 10/624,981
Atty Docket No. MSDI-168/PC566.02
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